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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

☐ CHECK BOX, if applicable
DUPLICATE

Address to:

Commissioner for Patents
Box CPA
Washington, D.C. 20231

Attorney Docket No. of Prior Application	12665.0009.CNUS01
First Named Inventor	P.O. Brown
Examiner Name	Ardin Marschel
Group Art Unit	1631
Express Mail Label No.	EL615211271US

This is a request for a continued prosecution application (CPA) of prior application number 09/356,322,
filed on July 16, 1999, entitled Substrates Comprising Polynucleotide Microarrays.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 27 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization PTO-2038.

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box CPA, Washington, DC 20231.

06/25/2002 AWONDAF1 00000137 09356322

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740.00 DP

JUN 26 2002

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CLAIMS	(1) FOR	(2) NUMBER FIELD	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	56-20* =	36	x \$18.00 =	\$648.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) OR (i))	4-3** =	1	x \$84.00 =	\$84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$280.00 =	\$280.00
				BASIC FEE (37 CFR 1.16)	\$740.00
				Total of above Calculations =	\$1,752.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent.				
	** Reissue independent claims over original patent.				
	TOTAL			=	\$1,752.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 08 - 3038, referencing Atty Dkt No. 12665.0009.CNUS01:
- a. ☒ Fees required under 37 CFR. 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$2,672.00 (filing fee and extension of time) is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. ☒ a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Petition for Extension of Time for Parent Application

NOTE:The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.**14. NEW CORRESPONDENCE ADDRESS**☐ Customer Number of Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ New correspondence address below

Name Glenn W. Rhodes

Howrey Simon Arnold & White, LLP

Address 301 Ravenswood Avenue

Box 34

City Menlo Park

State CA

Zip Code 94025

Country USA

Telephone 650-463-8100

Fax 650-463-8400

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Karen K. Wong for Glenn W. Rhodes (Reg. No. 31,790)

Signature

Registration No. (Attorney/Agent)

44,409

Date

June 18, 2002

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL615211271US Date of Deposit: June 18, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:
Commissioner for Patents, Washington, D.C. 20231.

Maureen Golob
Maureen Golob

APPLICANTS: T.D. Shalon and P.O. Brown

SERIAL NO.: 09/356,322

FILED: November 24, 1998

FOR: Substrates Comprising Polynucleotide
Microarrays

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Group Art Unit: 1631

Examiner: Ardin Marschel

Attorney Docket: 12665.0009.CNUS01

PATENT

28/c
Plunkett
#12602

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Examiner Marschel:

Prior to examination of the merits of the above-identified application, entry of the following amendments is respectfully requested. This preliminary amendment is submitted concurrently with the Request for Filing a Continued Prosecution Application (CPA).

06/25/2002 AWONDAF1 00000137 09356322

02 FC:102	84.00 OP
03 FC:103	648.00 OP
04 FC:104	280.00 OP